

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MICHAEL VACKAR,

Plaintiff

v.

SYNCHRONY BANK,

Defendant.

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C. A. NO. 4:15-cv-01442

**DEFENDANT SYNCHRONY BANK’S MOTION TO DISMISS OR, IN THE
ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT**

Pursuant to Rules 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Synchrony Bank (“Synchrony”) hereby moves this Court to dismiss Plaintiff Michael Vackar’s Complaint for failure to state a claim upon which relief can be granted. In the alternative, Synchrony moves this Court for a more definite statement under Rule 12(e) as to any allegation that the Court does not dismiss. The grounds for this motion are set forth in the accompanying Brief in Support, which is hereby incorporated by reference as if set forth fully herein.

DATED: June 17, 2015

REED SMITH LLP

By: /s/ Michael H. Bernick

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Attorney for Defendant Synchrony Bank

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served, via Certified Mail, return receipt requested, on the following pro se party on this 17th day of June, 2015:

Michael A. Vackar
18600 South Parview Dr., #913
Houston, Texas 77084

/s/ Michael H. Bernick
Michael H. Bernick